

REMARKS

On page 2 of the Office Action, the Examiner states that new claims 7-11 are drawn to a method of treatment using any compound having mGluR1 antagonistic activity that is independent and distinct from the originally claimed invention, which is directed to a pharmaceutical composition comprising a specified compound. The Examiner further states that the scope of the composition employed in the newly submitted method claims is broader and is not the same as composition in claims 2-4 and 6.

In view of the above, the claims are restricted to one of the following inventions:

- I. Claims 2-4 and 6, drawn to a pharmaceutical composition; and
- II. Claims 7-11, drawn to a method of treatment for improving neuropathic pain comprising administering a compound having mGluR1 antagonistic activity.

The Examiner states that the inventions are related as product and process of use and are separate and distinct because the claimed method of treatment can be practiced with a materially different product such as morphine.

In view of the above and since claims 7-11 were not originally presented, claims 7-11 are withdrawn from consideration as being drawn to a non-elected invention. The Examiner states that a complete reply to the Office Action must include cancellation of claims 7-11 or other appropriate action.

Claims 2-4 and 6 are indicated as allowed.

Claims 7-11 are canceled herein, which places the application in condition for allowance. Therefore, entry of the Amendment, which is respectfully requested, is proper after final

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/031,404

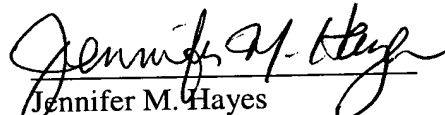
Attorney Docket No.: Q68135

rejection. Upon entry of the Amendment, allowed claims 2-4 and 6 will be all of the claims pending in the application.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: June 26, 2003